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Appeal from Circuit Court, Pulaski County.

Action by Joseph Graham, Sheriff of Pulaski County, and as such administrator de bonis non of the estate of William T. Jordan, against A. B. Hall. From a judgment for plaintiff, defendant appeals. Reversed in part.

John S. Draper, for appellant.

J. C. Wysor, for appellee.

WRIGHT v. COMMONWEALTH.

Sept. 14, 1911.

[72 S. E. 107.]

Licenses (§ 40*)—Offenses against License Laws.—Act March 11, 1906 (Acts 1906, c. 156), § 1, provided that no person should engage in the business of making loans on wages or salaries or on conditional sales of furniture, etc., without first obtaining a license therefor and fixed a penalty for its violation. Defendant, before the enactment of the statute, had made loans to certain railroad employees and taken an assignment of their wages as security; the dates of such assignments being left blank and defendant empowered to fill in the dates. Some of these loans were due and unsettled when the act became operative, and thereafter several of such claims were filed by defendant with the railway employer for collection. Held, that the statute had no retroactive effect, and that for the defendant to date and collect these preëxisting loans after the statute went into effect was no violation of it.

[Ed. Note.—For other cases, see Licenses, Dec. Dig., § 40.* 3 Va.-W. Va. Enc. Dig. 155.]

Error to Corporation Court of City of Roanoke.

Roscoe J. Wright was convicted for loaning money on security without a license, and he brings error. Reversed.

A. B. Hunt, for plaintiff in error.

The Attorney General, for the Commonwealth.

CAROLINA, C. & O. RY. v. CLINCH VALLEY LUMBER CO.

Sept. 14, 1911.

[72 S. E. 116.]

1. Pleading (§ 383*)—General Issue—Specification of Defense—Effect.—Where, with a plea of non assumpsit, defendant filed a specification of defense required by Code 1904, § 3249, the issue must be confined to the defense specified.

[Ed. Note.—For other cases, see Pleading, Cent. Dig., § 1295;

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.